



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Patterson et al. Examiner: Louis K. Huynh
Serial No.: 10/675,284 Group Art Unit: 3721
Filed: September 30, 2003 Docket: 717-961 CIP
Confirmation No.: 5475 Dated: June 22, 2005
For: APPLIANCE FOR VACUUM SEALING
FOOD CONTAINERS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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On June 22, 2005*

Signature: Julie L. Watts

RESPONSE TO OFFICE ACTION

Sir:

Applicants provide the following response to the Office Action dated March 22, 2005.

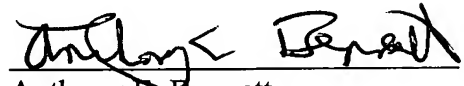
The Office Action indicates that claims 1, 4, 5, 10, 15, 21, 25 and 26 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 49, 60, 61, 85, 82-84, and 120 of co-pending application no. 10/371,610. Although these claims are not identical, the Examiner contends that they are not patentably distinct.

In order to overcome this rejection, Applicants file herewith a terminal disclaimer.

Applicants respectfully submit that the application with Claims 1-26 is now in condition for allowance.

If the Examiner believes that a telephone interview would be helpful in moving the case toward allowance, he is respectfully invited to contact Applicants' attorney at the number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anthony E. Bennett", written over a horizontal line.

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